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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,870	08/21/2001	Masaki Tatemori	83357.0001	9269

26021 7590 06/06/2005  
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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/934,870

Applicant(s)

TATEMORI ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Richardson et al, U.S. Patent No. 3,100,871 (hereinafter Richardson).

Regarding claim 1, Richardson discloses an SSB radio communication system comprising: amplitude modulating a carrier wave in a transmitting side by using modulation pulse signals, wherein the modulation pulse signals comprise a constant amplitude, sine wave shaped reference pulse signal having a predetermined width and period, and sine wave shaped modulation pulse signals having the same width as the reference pulse signal

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and amplitudes representing two- or multi-value digital values based on the amplitude of the reference pulse signal, transmitting the amplitude modulated signals on a single side band, and automatically adjusting gains of received signals in a receiving side which are values of peaks of the received signals based on the reference pulse signal (see Figures 1, 2 and 9).

Regarding claim 2, see columns 3-5.

Regarding claim 3, Richardson discloses a radio apparatus comprising: a transmitting circuit for single side band communications, and means for generating modulation inputs, wherein said modulation inputs comprise a constant amplitude, sine wave shaped reference pulse signal having a predetermined width and period, and sine wave shaped modulation pulse signals having the same width as the reference pulse signal and amplitudes representing two- or multi-value digital values based on the amplitude of the reference pulse signal, wherein said modulation inputs generated by the generating means are supplied to the transmitting circuit so as to amplitude modulate a carrier wave to transmit the amplitude modulated signals through a single side band (see Figures 1, 2 and 9).

Regarding claim 4, see columns 3-5.

Regarding claim 5, Richardson discloses a radio apparatus comprising: an intermediate frequency amplifier for receiving communication signals carried on a single side band, and for automatically controlling the gain of the received signals, a demodulator for demodulating the received signals based on a local carrier wave frequency, and gain control means for automatically control the gain of said intermediate frequency amplifier such that a sine wave shaped reference pulse signal, which is contained in the output signals of said intermediate frequency amplifier, and which has a predetermined width and a predetermined period, is peak detected so that its peak value becomes a predetermined value (see Figures 1, 2 and 9).

Regarding claim 6, see columns 3-5.

Regarding claim 7, see Figures 1 and 2.

Regarding claim 8, Richardson discloses a radio apparatus for receiving single side band communication signals modulated by modulation inputs, wherein said modulation inputs comprise a

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constant amplitude, sine wave shaped reference pulse signal, formed based on a carrier frequency, having a predetermined width and a predetermined period, and sine wave shaped modulation pulse signals having the same width as the reference pulse signal and amplitudes representing two- or multi-value digital values based on the amplitude of the reference pulse signal, the apparatus comprising, an intermediate frequency amplifier for automatically control the gain of the modulated signals, a demodulator for demodulating the received signals, automatic gain control means for peak detecting said reference pulse signal contained in the output signals of said intermediate frequency amplifier, and for controlling the gain of said intermediate frequency amplifier so that its peak value becomes a predetermined value, wherein the output of said intermediate frequency amplifier is amplitude detected by a amplitude detector means to extract a frequency component of the predetermined period of said reference pulse signal, the frequency obtained based on the frequency obtained by said amplitude detector means is mixed with the frequency of the output signal of said intermediate frequency amplifier, and the frequency representing the sum or difference therebetween is fed to said demodulator as a local carrier frequency wave (see Figures 1, 2 and 9).

Regarding claim 9, see Figures 3-7.


**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

OA.  
Olisa Anwah  
Patent Examiner  
May 26, 2005

  
FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600